



NATIONAL GUARD BUREAU

1636 DEFENSE PENTAGON
WASHINGTON DC 20301-1636

July 7, 2020

Mr. Shawn Musgrave
MuckRock News
DEFT MR 1535
P.O. Box 55819
Boston, MA 02205-5819

Dear Requester:

This letter is in final response to your Freedom of Information Act (FOIA) request to the National Guard Bureau (NGB), dated October 1, 2012 for any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase and/or use of aerial drones, UAs, UAVs, and UASs and any departmental records concerning this department's use of drones now or plans to use drones in the future including: the types of investigations or instances in which this department is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office, the altitude at which drones can or do fly and the drones' ability to carry weapons. Your request was initially assigned Case #2013-00198-F.

On May 20, 2013, the National Guard Bureau issued a response indicating no records were located in response to your request.

On May 30, 2013, you appealed the response to the Office of the Secretary of Defense referencing a memo released by the Ohio National Guard pertaining to the use of drones and policies for use and dissemination of data collected during UAV flights. The appeal was assigned Case No. 13-AC-0051-A1.

On April 24, 2019, the Office of the Secretary of Defense remanded your original request back to our office to conduct a secondary search for records. This request is being treated as a new request for records pertaining to the use of UAVs and policies for use and dissemination of data collected during UAV flights. Your new request was assigned case #J-19-0135.

Further search by NGB revealed three documents responsive to this request, each of which is publically available in the Public National Guard Bureau Publications and Forms Library:

1. Chief National Guard Bureau Instruction (CNGBI) 7500.00 Domestic use of National Guard Unmanned Aircraft Systems October 13, 2016;

<https://www.ngbpmc.ng.mil/Portals/27/Publications/cngbi/CNGBI%207500.00%2020161013.pdf?ver=2018-05-09-165354-740;>

2. CNGB 2000.01C National Guard Intelligence Activities August 14, 2018;

https://www.ngbpmc.ng.mil/Portals/27/Publications/cngbi/CNGBI_2000_01C_20180814.pdf?ver=2018-09-06-124556-220; and

3. CNGBM 2000.01A National Guard Intelligence Activities April 11, 2019;

https://www.ngbpmc.ng.mil/Portals/27/Publications/cngbm/CNGBM%202000_01A%2020190411.pdf?ver=2019-04-19-101759-920.

If you are not satisfied with this response you have the right to appeal to Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense at: ODCMO Directorate for Oversight and Compliance, 4800 Mark Center Drive, ATTN: DPCLTD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700. An appeal may also be made on-line through the OSD FOIA request portal at <http://pal.whs.mil/palMain.aspx>, or by e-mail to OSD.FOIA-APPEAL@mail.mil. If you use e-mail, please have the words “FOIA Appeal” in the subject of the email. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response and should include copies of your original request and this response, as well as a discussion of the reasons supporting your appeal.

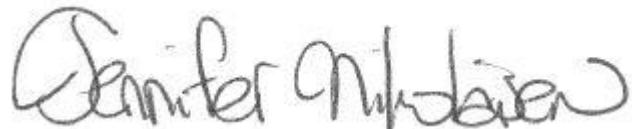
For any further assistance and to discuss any aspect of your request, you have the right to contact the NGB FOIA Public Liaison Officer, Melissa Walker, by email at osd.foialiaison@mail.mil or by phone at (571) 372-0462.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: NARA-OGIS, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001, e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448 or by facsimile at (202) 741-5769.

As a result of increases in the Health Protection Condition (HPCON) level, our offices are limited to mission-essential personnel only and maximizing the use of telework for other personnel. This means that we are unable to handle requests or responses sent via traditional methods and can only respond to electronic inquiries while under elevated HPCON levels. This concludes this

office's processing of your request. If you have questions regarding your request, please contact my office by e-mail: ngb.foia@mail.mil.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Nikolaisen". The signature is fluid and cursive, with "Jennifer" on top and "Nikolaisen" below it.

Jennifer Nikolaisen
Chief, Office of Information and Privacy
Freedom of Information Act/Privacy Officer
National Guard Bureau